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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/754,724	01/12/2004	Morihito Notani	1614.1377	6091
21171 7590 11/07/2008 STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005				
EXAMINER				
TSEGAYE, SABA				
ART UNIT		PAPER NUMBER		
2419				
MAIL DATE		DELIVERY MODE		
11/07/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/754,724

Applicant(s)

NOTANI ET AL.

Examiner

SABA TSEGAYE

Art Unit

2419

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-8 and 10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-8 and 10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/5508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office Action is in response to the amendment filed 08/04/08. Claims 1-4, 6-8 and 10 are pending. Currently no claims are in condition for allowance.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 6-8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bamba (US 2004/0008692 A1) in view of Woods (RPR Soups up Sonet and Ethernet; Network computing pages 77-81).

Regarding claims 1 and 7, Bamba discloses a transmission apparatus (100), in Fig. 1, comprising:

an aggregate-side interface unit (108) coupled to an optical transmission line (Route 1-3);
a cross-connect unit (106) which perform cross connect with respect to a synchronized digital signal supplied from the aggregate-side interface unit (0066); and

a network signal processing unit (112; 122, 109) which switches the synchronized digital signal in a unit of a network signal as the synchronized digital signal is supplied from the cross-connect unit (106), the network signal processing unit (112; 122, 109) further comprising a flow monitoring and adjusting unit which monitors and adjusts an amount of flow of the synchronized digital signal supplied from the cross-connect unit (0102-0103; 0066-0070; 0090).

Further, Bamba discloses a SONET/SDH standard network for transmitting not only information of a connection type, but also information of a connectionless type. However, Bamba does not expressly disclose a RPR frame signal.

Woods teaches that RPR traffic can travel on SONET/SDH networks using Sonet VTs so RPR can be added to networks with out affecting current Sonet traffic (page 77 right side).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use RPR frame signal, such as that suggested by Woods, in the SONET/SDH network of Bamba in order to provide bandwidth efficiency and fast protection.

Regarding claim 2, Bamba discloses, in fig. 1, the transmission apparatus wherein the network signal-processing unit (112; 122; 109) further comprises:

a network signal-extracting unit (102, 104), which extracts a network signal from the synchronized digital signal supplied from the cross-connect unit (106);

a network signal switching unit (106) which switches the extracted network signal (0067); and

a mapping unit (112, 122) which maps the network signal switched by the network signal switching unit (106) onto a synchronized digital signal for transmission to the cross-connect unit (106; 0069-0070).

Regarding claim 3, Bamba discloses the transmission apparatus further comprising a tributary-side interface unit (ETHER; see Fig. 2), which is connected to the cross-connect unit, and interfaces one of an asynchronous digital signal and a network signal (0072; 0086-0089; 0008-0009).

Regarding claim 4, Bamba discloses the transmission apparatus wherein the network signal processing unit further includes an add/drop unit which drops the network signal supplied from the network signal switching unit, and adds a network signal supplied from an exterior to the network signal switching unit (0090).

Regarding claim 6, Bamba discloses the transmission apparatus wherein the tributary side interface unit extracts one of an asynchronous digital signal and a network signal from a synchronized digital signal supplied from the cross-connect unit for dropping to an exterior, and adds one of an asynchronous digital signal and a network signal supplied from the exterior (0074-0076; 0082; 0086; 0129).

Regarding claim 8, Bamba discloses the transmission apparatus wherein the synchronized digital signal is one of an SONET signal and an SDH signal (0024).

Regarding claim 10, Bamba discloses the transmission apparatus wherein the cross-connect unit and the network signal-processing unit are connected through RPR signal (see fig.2).

Response to Arguments

4. Applicant's arguments with respect to claims 1-4, 6-8 and 10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SABA TSEGAYE whose telephone number is (571)272-3091. The examiner can normally be reached on Monday-Friday (7:30-5:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on (571) 272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Saba Tsegaye
Examiner
Art Unit 2419

/S. T./
Examiner, Art Unit 2419

/Wing F. Chan/
Supervisory Patent Examiner, Art Unit 2419
11/06/08